

**REMARKS**

Claims 76-104 and 119-152 are pending in the subject application. Applicants have hereinabove canceled claims 96-98, 100, and 119-150 of the subject application. Applicants note that claims 105-118 were canceled in their October 21, 2002 Amendment in response to the May 21, 2002 Office Action. Applicants have amended claims 76, 99, and 151 and added new claims 153-179. Entry of this Amendment and reconsideration of the application as amended are respectfully requested. Upon entry of this Amendment claims 76-95, 99, 101-104, and 151-179 are pending.

Applicants respectfully submit that the amendment of the claims of the subject matter does not include new matter and request that the amendments be entered.

**I. Election/Restriction**

On page 2 of the Action the Examiner acknowledged applicants' telephone election with traverse to examine Group III, claims 76-104 and 119-152. Applicants identified Example 32, page 48, 2-[4-(3,5-dichlorobenzyl)-5-furan-2-yl-3-methyl-pyrazol-1-yl]ethanol as species for use in the examination. The Examiner stated that applicants' argument that examination of all elected groups would not be a burden on the Examiner was found not to be persuasive. The Examiner made the restriction requirement final.

On page 3 of the Office Action the Examiner indicated the generic concept of elected subject matter as follows:  $R^2$  is Y-Z;  $R^3$  is as defined;  $R^4$  is dichloro substituted phenyl;  $R^5$  is piperdiny1 being optionally substituted by  $C_1$ - $C_6$  alkyl or  $C_3$ - $C_6$ -cycloalkyl;  $R^6$  is four to six-membered aromatic, partially saturated or unsaturated non-heterocyclic ring;  $R^7$  is as defined;  $R^8$  is  $C_1$ - $C_6$  alkyl substituted by phenyl or pyridyl;  $R^9$  to  $R^{12}$  are as defined; and X, Y, and Z are as defined. Applicants note that the Examiner did not provide a definition of  $R^1$ , however, their understanding is that the Examiner was examining the full scope of  $R^1$  in combination with limited definition of  $R^4$  as dichloro substituted phenyl. Applicants also note that in a May 14, 2002 telephonic interview with the undersigned attorney the Examiner agreed to examine in addition to the subject matter of Group III, the claims wherein  $R^5$  is H,  $C_1$ - $C_6$  alkyl,  $C_3$ - $C_7$

cycloalkyl, fluoro-(C<sub>1</sub>-C<sub>6</sub>)-alkyl, phenyl or benzyl. In the Examiner's May 21, 2002 Office Action an "Interview Summary" was included confirming the scope of the subject matter R<sup>5</sup> under examination as recited in the previous sentence. Applicants herein confirm their election to have the subject matter of Group III and claims wherein R<sup>5</sup> is H, C<sub>1</sub>-C<sub>6</sub> alkyl, C<sub>3</sub>-C<sub>7</sub> cycloalkyl, fluoro-(C<sub>1</sub>-C<sub>6</sub>)-alkyl, phenyl or benzyl examined at the present time. Applicants have herein below canceled non-elected subject matter as requested by the Examiner.

## **II. Objections**

On page 4 of the January 27, 2003 Office Action the Examiner objected to claims 76-104 and 119-152 as containing non-elected subject matter. The Examiner stated that claims drawn solely to the elected invention as identified in the Action would appear allowable. The Examiner stated that the claims must be amended to exclude non-elected subject matter. Applicants thank the Examiner for his indication that the elected subject matter appears to be allowable.

Applicants have, as suggested by the Examiner, amended the claims of the subject application to exclude non-elected subject matter and canceled non-elected claims. More particularly, applicants have amended claims 76, 99, and 151 so that they only encompasses the elected subject matter. Applicants have canceled claims herein 119-150 (claims 105-118 were previously canceled) since they were directed to non-elected subject matter. Applicants have added new claims 153-176 for the treatment of HIV which recite the allowable formula Ib (amended claim 76) and associated dependent claims for independent claim 76 (claims 77-95, 99, and 101-103). New claims 177 and 178 recite the use of the compounds of amended claims 151 and 152 in the treatment of HIV and new claim 179 recites the use of the compounds of formula Ib (amended claim 76 subject matter) to treat disorder treatable by the inhibition of reverse transcriptase. Applicants have canceled claim 150, which was directed to the use of the compounds of formula I or Ia to treat a disorder treatable by the inhibition of reverse transcriptase. Applicants respectfully submit that they have as suggested by the

Examiner limited the scope of the claims to the generic concept for the compounds of formula Ib from the January 27, 2003 Office Action. Accordingly, applicants respectfully submit that the claims of the subject application are now only drawn to elected subject matter and are in condition for allowance as indicated by the Examiner in his January 27, 2003 Action.

**CONCLUSION**

Applicants respectfully submit as stated by the Examiner in his conclusion that claims directed to elected subject matter appear allowable. Applicants respectfully submit they have amended the claims of the subject application so that they now only read upon elected subject matter. Applicants respectfully requested expeditious allowance of the pending claims for the subject application.

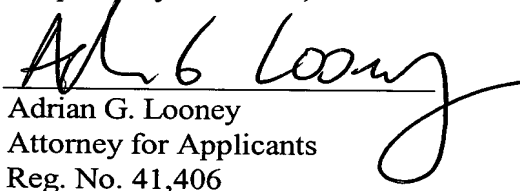
If the Examiner wishes to comment or discuss any aspect of this application or response, applicants' undersigned attorney invites the Examiner to call him at the telephone number provided below.

Date:

July 25, 2003

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Respectfully submitted,

  
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